

REMARKS

Claims 3, 16 and 40-86 are pending in this application. By this Amendment, claims 2, 5-15, 17-25 and 27-39 are canceled, claim 3 is amended and claims 40-86 are added. Support for new claims 40-86 can be found in the claims as originally filed. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Allowable Subject Matter

Applicants thank the Examiner for the indication that claim 16 is allowed.

Double Patenting Rejection

The Office Action rejects claims 2, 5-15, 17-25 and 27-39 under the judicially created doctrine of obviousness-type double patenting over claims 1, 2, 5, 7, 16, 18, 22, 24, 26 and 30-33 of U.S. Patent No. 6,376,179 to Laayoun in view of U.S. Patent No. 5,512,430 to Gong. Claims 2, 5-15, 17-25 and 27-39 have been canceled, rendering the rejection moot. Accordingly, withdrawal of the rejection is respectfully requested.

Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claim 3 as indefinite under 35 U.S.C. §112, second paragraph asserting that there is insufficient antecedent basis for the phrase "said member." Claim 3 has been amended to replace the phrase "said member" with the phrase "the at least one DNA, RNA or chimeric DNA-RNA polymer," for which there is proper antecedent basis. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

New Claims

New claims 40-62 depend from claim 3, which is allowable for the reasons set forth above. Accordingly, new claims 40-62 are also allowable.


New claims 63-86 depend from claim 16, which the Office Action indicates is allowed. Accordingly, new claims 63-86 are allowable.

Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 3, 16 and 40-86 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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